

REMARKS

Claims 1, 5, and 6 are pending in this application. Of these pending claims, Claims 1, 5, and 6 stand rejected. By way of this paper, it is proposed that Claims 1 and 6 be amended, and Claim 5 be cancelled.

The foregoing amendments and following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the application in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the Behnke et al. ('799) reference in view of the Ohmichi ('860) reference and the Kassen et al. ('368) reference, and Claims 5 and 6 stand rejected under 35 U.S.C. §103(a) as being obvious over the Behnke et al. ('799) reference in view of the Ohmichi ('860) reference and the Kassen et al. ('368) reference, and further in view of the Behnke et al. ('643) reference. The subject matter of Claim 5, by this proposed amendment, has been included in Claim 1, and Claim 5 has been cancelled.


Applicants hereby declare that the present Application and the reference to Behnke et al. ('643) are owned by the same party (Eastman Kodak Company) and the inventor named in the present Application is the prior inventor under 35 U.S.C. 104. A terminal disclaimer is also being submitted along with this response. Accordingly, the Behnke et al. ('643) reference has been shown to be an improper reference. Claims 1 and 6, when amended as proposed, now define over the prior art, and such claims should now be allowed.

CONCLUSION

When amended as proposed, this Application is believed to be in condition for favorable reconsideration and early allowance, and such actions are respectfully requested. If the Examiner still considers that this Application is not in condition for

allowance, it is respectfully requested that this proposed Amendment be entered as placing this Application in better condition for appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William R. Zimmerli", written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.